

# **Metropolitan Water Reclamation District of Greater Chicago**

100 East Erie Street  
Chicago, IL 60611



## **Regular Board Meeting Minutes**

**Thursday, April 1, 2010**

**10:00 AM**

**Board Room**

### **Board of Commissioners**

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance  
Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen  
Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore,  
Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

#### **THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:**

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

## Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

## Roll Call

**Present:** 9 - Frank Avila; Patricia Horton; Gloria Alitto Majewski; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

## Approval of Previous Board Meeting Minutes

A motion was made by Cynthia M. Santos, seconded by Debra Shore, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

## Recess and Reconvene as Committee on the Whole

A motion was made by Gloria Alitto Majewski, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

## Recess and Reconvene as Board of Commissioners

At 1:00 p.m. President O'Brien reconvened the regular board meeting to order

## Finance Committee

### Report

- 1      [10-0394](#)      Report on Cash Disbursements for the Month of January 2010, in the amount of \$74,923,425.42  
  
                 Attachments:      [January 2010 Disbursement Report](#)  
  
                 Published and Filed
- 2      [10-0395](#)      Report on Cash Disbursements for the Month of February 2010, in the amount of \$28,278,994.48  
  
                 Attachments:      [February 2010 Disbursement Report](#)  
  
                 Published and Filed
- 3      [10-0435](#)      Report on the investment interest income during February 2010  
  
                 Attachments:      [Inv Int Inc 2010-02 att.pdf](#)  
  
                 Published and Filed

## Procurement Committee

### Report

- 4      [10-0438](#)      Report of bid opening of Tuesday, March 23, 2010

**Published and Filed**

### Authorization

- 5      [10-0412](#)      Authorization to amend Board Order of March 4, 2010, regarding authority to decrease purchase order and amend agreement with Dykema Gossett, PLLC for legal services to represent the MWRDGC in execution of the McCook Reservoir Excavation Project in an amount of \$5,125.60, from an amount of \$68,374.40 to an amount not to exceed \$63,248.80, Account 101-30000-601170, Purchase Order 3054936, Agenda Item No. 29, File No. 10-0284
- 6      [10-0434](#)      Authorization to amend Board Order of January 21, 2010, regarding authority to advertise Contract 10-949-11 Maintenance and Repair of Alimak Manlifts at Various Locations, estimated cost \$328,000.00, Accounts 101-68000-612680, 101-69000-612600, Requisitions 1284439 and 1283826, Agenda Item No. 11, File No. 10-0016

**Approved**

**Approved**

### Authority to Advertise

- 7      [10-0410](#)      Authority to advertise Contract 10-838-11 Services to Rebuild Two Rotating Assemblies at the Calumet Water Reclamation Plant, estimated cost \$75,000.00, Account 101-68000-612600, Requisition 1297583
- 8      [10-0413](#)      Authority to advertise Contract 10-864-11 Seal Coating and Patching of Roads at the Prairie Plan Site in Fulton County, Illinois, estimated cost \$40,000.00, Account 101-68000-612420, Requisition 1300987
- 9      [10-0416](#)      Authority to advertise Contract 10-893-11 Furnish and Deliver Two Heavy-Duty Rotary Mowers to the Prairie Plan Site in Fulton County, estimated cost \$25,000.00, Account 101-68000-634760, Requisition 1289238

**Approved**

**Approved**

**Approved**

- 10      [10-0426](#)      Authority to advertise Contract 10-055-11 Furnish and Deliver Pipe Covering and Insulation to Various Locations for a One (1) Year Period, estimated cost \$46,500.00, Account 101-20000-623170

**Approved**

- 11      [10-0433](#)      Authority to advertise Contract 10-674-11 Fence and Gate Repairs in the Calumet Service Area, estimated cost \$75,000.00, Account 101-68000-612420, Requisition 1299708.

**Approved**

- 12      [10-0439](#)      Authority to advertise Contract 10-849-11 Repair of Heavy Equipment at the Calumet Water Reclamation Plant and Calumet Solids Management Area, estimated cost \$270,000.00, Accounts 101-66000/68000-612760, Requisitions 1293673 and 1287538

**Approved**

#### **Issue Purchase Order**

- 13      [10-0406](#)      Issue purchase order for Contract 10-105-12 (Re-Bid), Helicopter Service for a Two-Year Period, to Len Jablon Helicopters, Inc., in an amount not to exceed \$35,820.00, Account 101-16000-612330, Requisition 1284991

**Approved**

- 14      [10-0436](#)      Issue a purchase order and enter into an agreement with Christopher B. Burke Engineering, Ltd. for professional engineering services for Contract 09-879-5C, Implementation of Watershed Management Ordinance - Phase A, in an amount not to exceed \$183,163.90, Account 501-50000-601410, Requisition 1301563

**Deferred by Debra Shore**

- 15      [10-0437](#)      Issue purchase order and enter into an agreement with Xerox Corporation, for Maintenance and Repair of the 5090 and 6180 High-Speed Duplicators, in an amount not to exceed \$88,236.00, Account 101-15000-612800, Requisition 1300335

**Approved**

#### **Award Contract**

- 16      [10-0407](#)      Authority to award Contract 10-611-11, Repairs and Alterations to Various Water Reclamation Facilities in the Stickney Service Area and Other Installations, to Anchor Mechanical, Inc., in an amount not to exceed \$5,720,000.00, Accounts 101-67000, 69000-612600, 612650 Requisitions 1291268 and 1294249
- Attachments:**      [APP D 10-611-11.pdf](#)
- Approved**
- 17      [10-0408](#)      Authority to award Contract 10-697-11, Services of Tractors with Tillers, and Sludge Pumps, with Operators at LASMA and CALSMA, to Stewart Spreading, Inc., in an amount not to exceed \$720,000.00, Account 101-66000-612520, Requisition 1285640
- Approved**
- 18      [10-0415](#)      Authority to award Contract 10-987-11, Railroad Track Maintenance and Upgrading in the Stickney Service Area, to Swanson Contracting Co., Inc., in an amount not to exceed \$370,000.00, Account 101-69000-612670, Requisition 1287556
- Attachments:**      [APP D 10-987-11.pdf](#)
- Approved**
- 19      [10-0427](#)      Authority to award Contract 10-859-11, Site Maintenance at Fulton County, Illinois, to Independent Mechanical Industries, Inc., in an amount not to exceed \$1,609,600.00, Account 101-68000-612420, Requisition 1285031
- Approved**
- 20      [10-0428](#)      Authority to award Contract 10-006-11 Furnish and Deliver Janitorial Supplies to Various Locations for a One (1) Year Period, Groups A and B, to The Standard Companies, in an amount not to exceed \$66,204.70, Accounts 101-20000-623110, 623170, 623660 (*As Revised*)
- Approved**

**Increase Purchase Order/Change Order**

- 21      [10-0411](#)      Authority to decrease purchase order and amend the agreement for Emergency Contract 08-900-05 Dewater, Inspect and Otherwise Recommission the Racine Avenue Pumping Station, to Divane Bros. Electric Co., in an amount of \$266,005.72, from an amount of \$1,510,000.00 to an amount not to exceed \$1,243,994.28, Account 901-30000-667220, Purchase Order 5000924
- Attachments:**      [08-900-05.pdf](#)
- Approved**

- 22      [10-0414](#)      Authority to increase purchase order and amend the agreement with Dresser-Rand Company, for repair services and replacement parts for the Dresser-Clark Centrifugal Compressor System (Blowers), in an amount of \$320,000.00, from an amount of \$453,000.00 to an amount not to exceed \$773,000.00, Account 101-69000-612650, Purchase Order 3050096 (As Revised)
- Attachments:**      [DR 3050096-2.pdf](#)
- Approved**
- 23      [10-0418](#)      Authority to increase purchase order and amend the agreement with DLA Piper US LLP (DLA Piper) to represent the District's interest in the ComEd delivery rate proceeding before the Illinois Commerce Commission (ICC) as a member of the REACT Coalition, and conduct a workshop per ICC Proposed Order to remedy the estimation method used by ComEd in their Embedded Cost of Service Study (ECOSS), in an amount of \$36,000.00, from an amount of \$150,000.00, to an amount not to exceed \$186,000.00, Accounts 101-67000/68000/69000-612150, Purchase Order 3051424 (As Revised)
- Attachments:**      [DLA Piper US LLP CO HISTORY.PDF](#)
- Approved**
- 24      [10-0423](#)      Authority to increase Contract 06-218-3M (Re-Bid), Blower Nos. 9 & 10 and Air Main Installation at the Calumet Water Reclamation Plant with Meccon Industrial, Inc., in an amount of \$69,217.00 from an amount of \$16,025,240.00 to an amount not to exceed \$16,094,457.00, Accounts 101-50000-612650, 401-50000-645650, and 645750, Purchase Order 5001024
- Approved**
- 25      [10-0424](#)      Authority to increase purchase order and amend the agreement with Baker Engineering, Inc. for professional engineering services for Contract 07-883-1D Inspection and Condition Evaluation of Six Bridges Over North Shore Channel in an amount of \$63,643.05, from an amount of \$71,732.77 to an amount not to exceed \$135,375.82, Account 101-50000-601170, Purchase Order 3053404 (As Revised)
- Approved**
- 26      [10-0425](#)      Authority to decrease Contract 01-198-AD Demolition of Sludge Disposal Building and Rehabilitation of Pump and Blower House and Coarse Screen Building at the Stickney Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$4,188.12, from an amount of \$30,279,348.91 to an amount not to exceed \$30,275,160.79, Accounts 101-50000-612680, 401-50000-645680, and 645780, Purchase Order 5000961 (As Revised)
- Attachments:**      [CO 01-198-AD](#)
- Approved**

- 27      [10-0430](#)      Authority to decrease Contract 06-700-01 Emergency Repairs to the South Coarse Screen at the Kirie Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$18,943.08, from an amount of \$183,000.00 to an amount not to exceed \$164,056.92, Account 901-30000-667220, Purchase Order 5000634

Attachments:      [06-700-01.pdf](#)

Approved

- 28      [10-0431](#)      Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$247,537.46, from an amount of \$229,610,728.74 to an amount not to exceed \$229,858,266.20, Account 401-50000-645650, Purchase Order 5000954

Attachments:      [CO 07-220-3P](#)

Approved

## Budget & Employment Committee

### Authorization

- 29      [10-0397](#)      Authority to transfer 2010 departmental appropriations in the amount of \$215,000.00 in the Corporate Fund

Attachments:      [04.01.10 Board Transfer BF5.pdf](#)

Approved

## Engineering Committee

### Report

- 30      [10-0422](#)      Report on Contract 73-161-EH, McCook Reservoir Excavation Agreement, between the District and Vulcan Construction Materials, L.P., for mining the required "Rough Hole" for the McCook Reservoir

Attachments:      [McCook Reservoir](#)

Published and Filed

## Judiciary Committee

### Authorization

- 31      [10-0399](#)      Authority to settle the Workers' Compensation Claim of Thomas Trend vs. MWRDGC, Claim No. 200003523, Illinois Workers' Compensation Commission, in the sum of \$23,326.37. Account 901-30000-601090  
  
Approved

### **Pension, Human Resources & Civil Service Committee**

#### **Authorization**

- 32      [10-0429](#)      Request for Policy Direction on Retiree Health Insurance Program  
  
Attachments:      [Retiree Ins Exhibits A B C 4-1-10.pdf](#)  
  
Deleted by the Executive Director

### **Real Estate Development Committee**

#### **Authorization**

- 33      [10-0398](#)      Issue orders authorizing an amendment to lease dated March 17, 2007, by and between the District, Lessor, and Chicago Block Company, Inc., Lessee, on 9 acres of improved real estate located at 6400 Canal Bank Road in Forest View, Illinois; Main Channel Parcel 37.07 allowing for a change in the rental payments from semi-annual to quarterly. Consideration shall be a \$2,000.00 document preparation fee  
  
Attachments:      [Chicago Block Company.Map.pdf](#)  
  
Approved
- 34      [10-0417](#)      Authority to issue a 4-day permit to Cook County School District 130 to use approximately 12.13 acres of District land located on Canal Street between Division Street and Chatham Street in Blue Island, Illinois, Cal-Sag Channel Parcel 15.04, for the Lincoln School Field Day Events on May 17-21, 2010. Consideration shall be a fee of \$10.00  
  
Attachments:      [District 130 Map.pdf](#)  
  
Approved



- 35      [10-0419](#)      Amend orders of January 21, 2010, authorizing and approving the issuance of a 6-month permit to the Illinois Department of Transportation to allow its contractor, CH2MHILL and subcontractor, DB Sterlin Consultants, Inc., access to the District's O'Hare CUP Reservoir and O'Hare Reservoir sites to perform ground survey and field reconnaissance work for the Elgin O'Hare West Bypass Project to include an additional subcontractor, American Surveying and Engineering, Inc., to perform additional utility survey and field reconnaissance work

**Attachments:**      [IDOT\\_Map.pdf](#)

**Approved**

- 36      [10-0420](#)      Authorize the issuance of a six-month permit to BP to remove underground storage tanks, conduct supplemental soil borings, and install temporary monitoring wells on District real estate located at 3266 West Devon Avenue in Lincolnwood, Illinois, North Shore Channel Parcel 7.03. Consideration shall be \$10.00

**Attachments:**      [BP\\_Map.pdf](#)

**Approved**

- 37      [10-0440](#)      Authority to issue a 6-month permit extension to Midwest Generation, LLC, on approximately 12 acres of District real estate located south of 9th Street in Will County, Illinois; Main Channel Parcel Number 15.03. Consideration shall be \$34,750.00

**Attachments:**      [Midwest Generation\\_Map.pdf](#)

**Approved**

## **Miscellaneous and New Business**

### **Memorial Resolution**

- 38      [10-0405](#)      MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Ronald Dean Banks

**Adopted**

### **Resolution**

- 39      [10-0401](#)      RESOLUTION sponsored by the Board of Commissioners to repeal Resolution No. R85-016 authorizing the payment of certain expenses involved in relocating new employees from outside Cook County to fill "Critical Recruitment Positions"

**Deleted by the Executive Director**

**Additional Agenda Items**

- 40      [10-0441](#)      Authority to ratify the Executive Director's issuance of a 6-month permit to the Village of Oak Lawn to install and monitor 8 flow meters and rain gauges within Metropolitan Water Reclamation District of Greater Chicago intercepting sewers in Oak Lawn, Illinois. Consideration shall be a nominal fee of \$10.00
- Approved**
- 41      [10-0442](#)      RESOLUTION sponsored by the Board of Commissioners congratulating Joseph P. Sobanski on his 34 years of service and retirement
- A motion was made by Gloria Alitto Majewski, seconded by Barbara J. McGowan, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**
- 42      [10-0443](#)      MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Earl A. Deutsch
- Adopted**

**Approval of the Consent Agenda with the exception of Items: 14, 32, 39 and 41**

**A motion was made by Cynthia M. Santos, seconded by Gloria Alitto Majewski, to Approve the Consent Agenda. The motion carried by the following roll call vote:**

**Aye:** 9 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 43      [10-0346A](#)      MOTION to reconsider the vote taken on March 18, 2010 with regards to Item No. 40, File #10-0346 and said matter be deferred to the next Board Meeting on April 15, 2010 for consideration.

**A motion was made by Cynthia M. Santos, seconded by Gloria Alitto Majewski, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 9 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Meeting Summary**

**Speakers**

*Brian Lichtenberger Vice-President of Wheeling Park District Board of Commissioners, thanked the MWRD staff for there cooperation.*

*Joseph P. Sobanski accepted a resolution expressing appreciation for the 34 years of outstanding service he rendered to the District (Re: Miscellaneous and New Business Item: 41)*

**Summary of Requests**

*Richard Lanyon*

*Debra Shore asked if any other companies are on retainer with other municipalities (Re: Procurement item# 14)*

*Frederick Feldman*

*Debra Shore requested that a memo be prepared as to whether this is a conflict of interest (Re: Procurement item# 14)*

*Keith Smith*

*Mariyana T. Spyropoulos asked that an audio podcast of the Board Meetings be available on the website*

*Richard Lanyon*

*Frank Avila requested a list of firms selected for Stormwater Management projects for the next 3 years, Cynthia M. Santos also requested the District consider an open ended list so that other qualified firms could be added.*

*Louis Kollias*

*Debra Shore requested a report on the study regarding fish pulled from the Chicago's North Shore Channel and tested by Baylor scientists*

**Study Session**

*None*

**Announcements**

*None*

**Board Letter Submission Dates**

**The next regular board meeting is scheduled for April 15, 2010 please prepare and submit Board items before the following absolute cutoff dates.**

**Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: April 5, 2010**

**Date Board letters are due to the Executive Director: 1:00 p.m., April 8, 2010**

**Adjournment**

A motion was made by Gloria Alitto Majewski, seconded by Kathleen Therese Meany, that when the Board adjourns it adjourns to meet on Thursday, April 15, 2010, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

**Aye:** 9 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**APPROVAL:**

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this April 1, 2010, are hereby approved.

**APPROVED:**

/s/ Terrence J. O'Brien

President Board of Commissioners of the  
Metropolitan Water Reclamation District of Greater Chicago

April 1, 2010